

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF GUAM**

MAEDA PACIFIC CORPORATION,

Plaintiff,

vs.

GMP HAWAII, INC., *et al.*,

Defendants,

**AND DERIVATIVE AND OTHERWISE
RELATED LITIGANTS.**

Civil Case No. 08-00012

**ORDER RE: RENEWED MOTION
FOR SUMMARY JUDGMENT AND
MOTION FOR ENTRY OF
JUDGMENT**

GMP HAWAII, INC., a Hawaii corporation
d/b/a **GMP ASSOCIATES,** and **OHIO
PACIFIC TECH, INC.,** an Ohio corporation
d/b/a **GMP ASSOCIATES, INC.,**

Plaintiffs,

vs.

LEXINGTON INSURANCE COMPANY,
a Massachusetts corporation,

Defendant.

Civil Case No. 11-00010

1 Before the court is a Renewed Motion for Summary Judgment and Motion for Entry of
2 Judgment (“the Renewed Motion”) filed by Smithbridge Guam, Inc. (“Smithbridge”). *See* ECF No.
3 300. Smithbridge renews its motion for summary judgment for the dismissal of GMP’s claim for
4 contribution and a request for entry of judgment against GMP. *See id.* at 1. Also before the court
5 is a Joinder in the Renewed Motion filed by Jorgensen and Close Associates, Inc. and U.S. Specialty

1 Insurance Company (together, “J&CA”). *See* ECF No. 301. The court grants the joinder, and
2 DENIES the Renewed Motion.

3 On August 14, 2009, Smithbridge filed Alternative Motions for Summary Judgment, or
4 Approval of Good-Faith Settlement, for the Dismissal of the Third-Party Complaint. *See* ECF No.
5 69. On February 23, 2010, the court found that, pursuant to Section 24606 of Title 7 of the Guam
6 Code Annotated, there was a good-faith settlement between Smithbridge and Plaintiff Maeda Pacific
7 Corporation (“Maeda”). *See* Order Re: Mtn. for Approval of Good-Faith Settlement, ECF No. 167
8 at 20.

9 On April 20, 2011, J&CA and Maeda filed a Joint Motion for Approval of Good-Faith
10 Settlement. *See* ECF No. 208. On September 23, 2011, the court granted Joint Motion and found
11 that there was a good-faith settlement between J&CA and Maeda. *See* ECF No. 288.

12 Under Section 24606, “[a] determination by the court that [a] settlement was made in good
13 faith shall bar any other joint tortfeasor from any further claims against the settling tortfeasor for
14 equitable comparative contribution, or partial or comparative indemnity, based on comparative
15 negligence or comparative fault.” 7 GUAM CODE ANN. § 24606(c). Thus, GMP is barred from
16 bringing claims for contribution against Smithbridge and J&CA.

17 The Renewed Motion does not present a justiciable issue as it was disposed of with the
18 court’s findings of good-faith settlements.¹ Accordingly, the court DENIES the Renewed Motion.

19 **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Feb 27, 2012

¹ If for some reason the findings of good faith are revoked or rescinded, the parties may raise the issues presented in the Renewed Motion at that time.